

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2022, Legislative Day No. 8

Bill No. 24-22

Mr. Julian E. Jones Jr., Chairman
By Request of the County Executive

By the County Council, April 4, 2022

A BILL
ENTITLED

AN ACT concerning

County Code - Police Accountability Board

FOR the purpose of establishing a Police Accountability Board to receive complaints of police misconduct filed by members of the public; defining certain terms; providing for the composition and terms of members of the Board; setting forth the qualifications for members and method of appointment; providing for a chair of the Board; establishing the duties of the Board; requiring annual reports by the Board; requiring members of the Board to file financial disclosure statements; and generally relating to police accountability in Baltimore County.

BY adding

Sections 3-3-2601 through 3-3-2606

Article 3 – Administration

Title 3 – Boards, Commissions, Committees, Panels, and Foundations

SUBTITLE 26 – POLICE ACCOUNTABILITY BOARD

Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY repealing and re-enacting, with amendments

Section 7-1-401(a)
Article 7 – Public Ethics and Open Government
Title 1 – Public Ethics
Subtitle 4 – Financial disclosure
Baltimore County Code, 2015

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

ARTICLE 3 – ADMINISTRATION

TITLE 3 – BOARDS, COMMISSIONS, COMMITTEES, PANELS,
AND FOUNDATIONS

SUBTITLE 26 – POLICE ACCOUNTABILITY BOARD

§ 3-3-2601. ESTABLISHED; DEFINITIONS.

(A) THERE IS A POLICE ACCOUNTABILITY BOARD.

(B) IN THIS SUBTITLE, “POLICE OFFICER” SHALL HAVE THE MEANING SET
FORTH IN SECTION 3-201 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED
CODE OF MARYLAND.

§ 3-3-2602. MEMBERSHIP; APPOINTMENT OF CHAIR.

(A) (1) THE BOARD CONSISTS OF 9 MEMBERS, INCLUDING THE CHAIR,
APPOINTED BY THE COUNTY EXECUTIVE.

(2) SEVEN MEMBERS SHALL RESIDE IN EACH OF THE COUNTY’S 7
COUNCILMANIC DISTRICTS.

1 (3) TWO MEMBERS SHALL BE AT-LARGE REPRESENTATIVES OF THE
2 RESIDENTS OF THE COUNTY.

3 (B) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE BOARD
4 SHALL REFLECT THE RACIAL, GENDER, AND CULTURAL DIVERSITY OF
5 BALTIMORE COUNTY.

6 (C) MEMBERS OF THE BOARD SHALL BE AN ADULT AND A RESIDENT OF
7 BALTIMORE COUNTY.

8 (D) (1) MEMBERS SHALL BE SUBJECT TO A CRIMINAL BACKGROUND
9 INVESTIGATION BEFORE BEGINNING TO SERVE.

10 (2) MEMBERS WHO ARE CONVICTED OF A FELONY OR A
11 MISDEMEANOR WITH A STATUTORY PENALTY OF MORE THAN 2 YEARS DURING
12 THEIR TERM AS A MEMBER SHALL REPORT THE SAME TO THE COUNTY
13 EXECUTIVE AND SHALL BE REMOVED.

14 (E) AN INDIVIDUAL MAY NOT BE A MEMBER OF THE BOARD IF THEY ARE
15 AN ACTIVE POLICE OFFICER.

16 (F) (1) THE COUNTY EXECUTIVE SHALL APPOINT A MEMBER OF THE
17 BOARD TO SERVE AS CHAIR WHO SHALL HAVE EXPERIENCE RELEVANT TO THE
18 POSITION.

19 (2) THE TERM OF THE CHAIR IS TWO YEARS.

20 (G) (1) THE TERM OF A MEMBER OF THE BOARD IS THREE YEARS AND
21 BEGINS ON JULY 1.

22 (2) THE TERMS OF THE INITIAL MEMBERS OF THE BOARD ARE
23 STAGGERED SO THAT NOT MORE THAN 3 MEMBERS' TERMS SHALL EXPIRE IN

1 ANY ONE YEAR. INITIALLY, 3 MEMBERS SHALL SERVE FOR A TERM OF 1 YEAR; 3
2 MEMBERS SHALL SERVE FOR A TERM OF 2 YEARS; AND 3 MEMBERS SHALL
3 SERVE FOR A TERM OF 3 YEARS.

4
5 § 3-3-2603. BUDGET; STAFF; COUNSEL.

6 (A) THE COUNTY EXECUTIVE SHALL PROPOSE A BUDGET FOR THE BOARD
7 TO BE INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE
8 ADOPTED BY THE COUNTY COUNCIL.

9 (B) THE COUNTY SHALL ASSIGN STAFF AS NEEDED TO THE BOARD.

10 (C) THE COUNTY ATTORNEY SHALL BE THE LEGAL ADVISOR OF THE
11 BOARD AND, IN THE EVENT OF A CONFLICT, THE BOARD MAY REQUEST THAT
12 THE COUNTY ENGAGE OUTSIDE COUNSEL.

13
14 § 3-3-2604. RECORDS; CONFIDENTIALITY.

15 (A) RECORDS OF THE BOARD SHALL BE MAINTAINED BY THE EXECUTIVE
16 SECRETARY.

17 (B) THE COUNTY RECORDS MANAGEMENT OFFICER SHALL ESTABLISH A
18 RECORD RETENTION SCHEDULE FOR THE RECORDS OF THE BOARD.

19 (C) THE BOARD AND ITS STAFF SHALL KEEP CONFIDENTIAL ANY
20 RECORDS PROHIBITED FROM DISCLOSURE UNDER THE MARYLAND PUBLIC
21 INFORMATION ACT AND MUST SIGN AN AFFIDAVIT OF CONFIDENTIALITY.

1 § 3-3-2605. DUTIES OF THE BOARD.

2 THE BOARD SHALL:

3 (A) HOLD QUARTERLY MEETINGS WITH HEADS OF LAW
4 ENFORCEMENT AGENCIES AND OTHERWISE WORK WITH LAW ENFORCEMENT
5 AGENCIES WITH JURISDICTION IN THE COUNTY AND COUNTY GOVERNMENT TO
6 IMPROVE MATTERS OF POLICING;

7 (B) APPOINT CIVILIAN MEMBERS TO CHARGING COMMITTEES AND
8 TRIAL BOARDS;

9 (C) RECEIVE COMPLAINTS OF POLICE MISCONDUCT FILED BY
10 MEMBERS OF THE PUBLIC;

11 (D) FORWARD EACH COMPLAINT OF POLICE MISCONDUCT FILED
12 WITH THE BOARD TO THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN 3
13 DAYS AFTER RECEIPT;

14 (E) ON A QUARTERLY BASIS, REVIEW OUTCOMES OF DISCIPLINARY
15 MATTERS CONSIDERED BY CHARGING COMMITTEES; AND

16 (F) ON OR BEFORE DECEMBER 31 EACH YEAR, SUBMIT A REPORT TO
17 THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL, TO BE POSTED ON THE
18 COUNTY’S WEBSITE, THAT:

19 (1) IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS
20 OF POLICE OFFICERS IN THE COUNTY; AND

21 (2) MAKES RECOMMENDATIONS ON CHANGES TO POLICY
22 THAT WOULD IMPROVE POLICE ACCOUNTABILITY IN THE COUNTY.
23

1 § 3-3-2606. CONTENTS OF COMPLAINTS.

2 (A) A COMPLAINT OF POLICE MISCONDUCT FILED WITH THE BOARD
3 SHALL INCLUDE:

4 (1) THE NAME OF THE POLICE OFFICER ACCUSED OF MISCONDUCT;

5 (2) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS
6 BASED; AND

7 (3) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON
8 FILING ON BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.

9 (B) A COMPLAINT NEED NOT BE NOTARIZED.

10
11 ARTICLE 7 – PUBLIC ETHICS AND OPEN GOVERNMENT

12 TITLE 1 – PUBLIC ETHICS

13 SUBTITLE 4 – FINANCIAL DISCLOSURE
14

15 § 7-1-401. FILING OF FINANCIAL DISCLOSURE STATEMENTS REQUIRED - IN
16 GENERAL.

17 (a) The following public officials shall file the financial disclosure statements required
18 under this subtitle:

19 (1) Each public official required to complete the training required under § 7-1-
20 203 of this title;

21 (2) The chairman and members of the County Council;

22 (3) The County Attorney, the Deputy County Attorney, and an Acting County
23 Attorney or Acting Deputy County Attorney;

- 1 (4) The administrative assistant to the County Council;
- 2 (5) The Administrative Law Judges of the Office of Administrative Hearings;
- 3 (6) Deputy department heads, and acting department heads and deputy
- 4 department heads;
- 5 (7) Deputy office heads, and acting office heads and deputies;
- 6 (8) The chairman and members of the Board of Recreation and Parks;
- 7 (9) The chairman and members of the Electrical Administrative Board;
- 8 (10) The chairman and members of the Plumbing Board;
- 9 (11) The chairman and members of the Board of Health;
- 10 (12) The chairman and members of the Board of Library Trustees;
- 11 (13) The Inspector General and staff of the Office of the Inspector General;
- 12 (14) The paid and unpaid members of boards of all state agencies funded in
- 13 whole or in part by the county;
- 14 (15) The chairman and members of the Agricultural Land Preservation Advisory
- 15 Board;
- 16 (16) The chairman and members of the Workforce Development Council;
- 17 (17) The chairman and members of the Telecommunications Advisory Panel;
- 18 [and]
- 19 (18) Subject to subsection (f)(2) of this section, the chairman and members of the
- 20 Board of Trustees of the Community College of Baltimore County[.]; AND
- 21 (19) THE CHAIR AND MEMBERS OF THE POLICE ACCOUNTABILITY
- 22 BOARD.
- 23

1 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
2 the affirmative vote of five members of the County Council, shall take effect 15 days after its
3 enactment. It shall apply to complaints of police misconduct filed by members of the public
4 based on any incident occurring on or after July 1, 2022.